

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: December 20, 2006
Bulk Item: No

Division: COUNTY ATTORNEY
Staff Contact Person: Natileene W. Cassel
Telephone # 305-292-3470

AGENDA ITEM WORDING:

Approval of resolution accepting \$30,000.00 from the City of Key West and \$10,000.00 from the City of Marathon, to assist in payment of legal fees for the law firm of Volpe, Bajalia, Wickes, Rogerson, Galloway, and Wach, P.A., as requested by Fair Insurance Rates in Monroe ("FIRM"); and requesting the Clerk of the County Court of Monroe County to invoice the cities of Key West and Marathon for payment.

ITEM BACKGROUND:

On December 1, 2006, FIRM issued a letter to the cities of Marathon and Key West, requesting that the funds set aside by those cities be paid directly to Monroe County. These funds are to be used exclusively to assist in payment of fees to the law firm of Volpe, Bajalia, Wickes, Rogerson, Galloway, and Wach, P.A. for legal representation regarding windstorm insurance rates.

PREVIOUS RELEVANT BOCC ACTION:

On May 16, 2006, the Board of County Commissioners approved authorized the hiring of the law firm of Volpe, Bajalia, Wickes, Rogerson, Galloway, and Wach, P.A. to provide advice, counseling and representation with respect to issues relating to wind storm matters vital to the citizens of Monroe County. That Agreement was amended on October 18, 2006 to allow for payment on an hourly basis.

CONTRACT/AGREEMENT CHANGES: NONE

STAFF RECOMMENDATIONS: Approval.

TOTAL COST: None

BUDGETED: YES ___ NO X ___

COST TO COUNTY: None

SOURCE OF FUNDS: _____

REVENUE PRODUCING: YES ___ NO X AMOUNT PER MONTH ___ Year ___

APPROVED BY: County Atty ___ OMB/Purchasing ___ Risk Management ___

DIVISION DIRECTOR APPROVAL: _____


Suzanne A. Hutton

12/15/06

DOCUMENTATION:

Included X ___

Not Required _____

DISPOSITION: _____

AGENDA Item# _____

RESOLUTION NO. - 2006

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, ACCEPTING \$30,000.00 FROM THE CITY OF KEY WEST, FLORIDA, AND \$10,000.00 FROM THE CITY OF MARATHON, FLORIDA, TO ASSIST IN PAYMENT OF LEGAL FEES ON BEHALF OF FIRM, AND REQUESTING THE CLERK OF THE COUNTY COURT OF MONROE COUNTY TO INVOICE THE CITIES OF KEY WEST AND MARARTHON FOR PAYMENT.

WHEREAS, on May 16, 2006, the Board of County Commissioners of Monroe County, Florida, authorized the hiring of the law firm of Volpe, Bajalia, Wickes, Rogerson, Galloway, and Wach ("Volpe"), to provide legal advice, counseling and representation with respect to issues relating to wind storm insurance coverage, actuarial computation, pricing and other wind storm insurance matters vital to the citizens of Monroe County; and

WHEREAS, on May 19, 2006, the City Commission of the City of Key West, Florida, passed Resolution No. 06-184, authorizing the expenditure of \$30,000.00 to contribute to a fund to hire FIRM's recommended legal counsel; and

WHEREAS, on May 23, 2006, the City Council of the City of Marathon, Florida, passed Resolution 2006-080, authorizing an expenditure in the amount of \$10,000.00 to contribute to a legal fund on behalf of Fair Insurance Rates in Monroe ("FIRM"); and

WHEREAS, on December 1, 2006, FIRM issued a letter to the cities of Marathon and Key West, requesting that the funds set aside in accordance with the above-referenced resolutions be paid to the Clerk of the County Court of Monroe County, Florida, for use, in part, to pay for the legal fees of Volpe in connection with the matters noted above.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, that:

1. The Clerk of the County Court of Monroe County, Florida, is hereby directed to request that the City of Marathon, Florida, pay to Monroe County the sum of \$10,000.00 as authorized by Resolution 2006-080 of that body and in accordance with the letter dated December 8, 2006 from FIRM to the City of Marathon, Florida, with thanks both to FIRM and to the City of Marathon from the citizens of Monroe County; and
2. The Clerk of the County Court of Monroe County, Florida, is hereby directed to request that the City of Key West, Florida, pay to Monroe County the sum of \$30,000.00 as authorized by Resolution 2006-080 of that body and in accordance with the letter dated December 8, 2006 from FIRM to the City of Marathon, Florida, with thanks both to FIRM and to the City of Key West from the citizens of Monroe County.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said board held on the 20th day of December, 2006.

Mayor Mario Di Gennaro, District 4	_____
Commissioner Dixie Spehar, District 1	_____
Commissioner George Neugent, District 2	_____
Commissioner Charles "Sonny" McCoy, District 3	_____
Commissioner Sylvia Murphy, District 5	_____


(Seal)

Attest: DANNY L. KOLHAGE, Clerk

By: _____
Deputy Clerk

BOARD OF COUNTY
COMMISSIONERS OF
MONROE COUNTY, FLORIDA

BY: _____
Mayor Mario Di Gennaro

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

NATILEENE W. CASSEL
ASSISTANT COUNTY ATTORNEY
Date 12-15-06